

UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

In the Matter of:

FORUM ON TOLL-FREE
NUMBERS ADMINISTRATION

)
)
) CC Docket No. 95-155
)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:)
)
FORUM ON TOLL-FREE)
NUMBERS ADMINISTRATION)
NAME OF COMPANY, INC.)

Commissioners' Meeting Room
445 12th Street, S.W.
Washington, D.C.

Monday,
March 4, 2002

The parties met, pursuant to the notice of the Commission, at 1:06 p.m.

BEFORE: JENNIFER GORNEY

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Network Services Division
Cheryl Callahan, Senior Attorney

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Ad Hoc Telecommunications Users Committee (Ad Hoc)
Renny Hellickson, Ad Hoc Representative

Alliance for Telecommunications Industry Solutions (ATIS)-
SMS/800 Number Administration Committee (SNAC)
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Steve Levinn, Vice President

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P R O C E E D I N G S

(1:06 p.m.)

1
2
3 MS. ATTWOOD: Why don't we get started? Everyone
4 at their seats. I don't have a card, right? Welcome. I'm
5 Dorothy Attwood. I'm Chief of the Common Carrier Bureau.
6 And I'm glad you could all make it today. This forum really
7 started in a meeting that I had with a bunch of industry
8 folks talking about concerns and questions raised by the
9 Bureau's action in the now referred to DSMI Letter. I was
10 giving Chuck Keller a hard time. I think he paid real money
11 to get rid of -- we used to refer to it as the Keller Waiver
12 Letter. But now it's the DSMI Letter.

13 But through the series of meetings it became very
14 clear that there was a need for an open dialogue about the
15 issues that concerned both the Commission and the industry.
16 And this forum emerged as a concept to try to express some
17 of the issues that we're facing at the Commission, or some
18 of the concerns that we've heard, with respect to toll-free
19 numbering issues. At the same time, also be able to be
20 receptive and sensitive to the burdens and concerns that
21 industry was raising with respect to some of the issues
22 raised in the DSMI Letter but just more broadly with respect
23 to the Toll-Free Numbering Administration.

24 Do we have the bridge on now? Or are you still
25 working on it? Yes, it's on? Okay. We were waiting for

1 the bridge.

2 So hopefully today is the first step in trying to
3 figure out where we need to balance the interest. Clearly,
4 the Commission has expressed some concerns about some of the
5 practices, and today is an effort to have the Commission
6 spend some time explaining some of those issues. But also,
7 it's a two-way street and really very importantly we're here
8 to listen to some of the concerns and some of the issues
9 raised by industry. And I think we've succeeded in bringing
10 together really a great cross section of those that are
11 interested in the issue. And hopefully what will emerge
12 from today is a process that can help the Commission inform
13 the judgement of the Commission in developing a series of
14 questions for a notice of proposed rulemaking that we'd like
15 to move forward on sometime this spring.

16 I think that this would be a great first step to
17 trying to get some of the information that we need, some of
18 the issues that are raised, to more broadly ask the
19 questions of the context of a notice of proposed rulemaking.
20 And I would encourage you to offer specific suggestions,
21 offer specific information that can help form the basis of
22 that broad type of inquiry. Even it would be helpful if you
23 want to comment on the need or the proposed scope of such a
24 notice of proposed rulemaking. So with that, I want to turn
25 it over to those of us that are actually running the forum,

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1 and just again, underscore my welcome and glad that you're
2 all here to help us with this discussion. With that, I
3 think we're going to introduce folks that are --.

4 MS. GORNEY: Thank you, dorothy. I did want to
5 take a minute to introduce myself. My name is Jennifer
6 Gorney, and I'm an attorney with the Network Services
7 Division at the FCC, and I will be the moderator for this
8 forum. I wanted to also add an additional note, a
9 background for this forum. Another event that triggered
10 this forum was the release of the Fifth Report and Order in
11 CC Docket No. 95-155. And in that order the Commission
12 decided to consider whether or not to restructure the
13 current toll-free system.

14 Right now I'm going to ask everyone to introduce
15 themselves on the panel. And following, I will give the
16 general ground rules for the round table. So could I start
17 down here? Thank you.

18 MR. KAUFMAN: I'm Mitch Kaufman, with NCS Pearson.
19 I'm a Telecom Services Manager of Numbering Services at my
20 company.

21 MR. KNISHBACHER: I'm Mitch Knishbacher,
22 representing the 1-800-American Free Trade Association.

23 MR. FISHMAN: I'm Eric Fishman, from Holland and
24 Knight, representing the 1-800-American Free Trade
25 Association.

1 MR. CARPENTER: I'm Jay Carpenter, representing
2 the 1-800-American Free Trade Association.

3 MR. CHOI: I'm Tony Choi. I'm representing Bell
4 Canada.

5 MR. LUKAS: Russ Lukas, of Lukas, Nate, Gutiaris,
6 and Sacks. I'm with Beehive Telephone.

7 MR. BROTHERS: My name is Art Brothers. I'm the
8 CEO of Beehive Telephone.

9 MS. MOY: Norina Moy, Sprint.

10 MR. HELLICKSON: Renny Hellickson, with the Ad Hoc
11 Telecommunications Users Committee.

12 MS. OTEO: Ellen Oteo. I'm here representing the
13 SMS/800 Management Team, the four companies, the Box, that
14 provide SMS/800.

15 MR. SELZER: My name is Les Selzer. I'm the
16 Economist in the Common Carrier Bureau.

17 MS. CALLAHAN: My name is Cheryl Callahan. I'm an
18 a senior attorney in the Network Services Division.

19 MS. WALTERS: Michele Walters. I am on detail to
20 the Consumer Information Bureau.

21 MS. EGLER: Margaret Egler, Deputy of the Consumer
22 Information Bureau.

23 MR. PATEL: I'm Anil Patel, with DSMI.

24 MR. WADE: Michael Wade, with DSMI.

25 MR. LEVINN: Hi. I'm Steve Levinn, with CSF

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1 Corporation.

2 MR. GRUDUS: James Grudus, with AT&T.

3 MR. CHAMPAGNE: Marcel Champagne, with NeuStar.

4 MS. CAMPBELL: Megan Campbell, with ATIS, and I'm
5 here on behalf of our SMS/800 Number Administration
6 Committee, or SNAC.

7 MR. GUGGINA: I'm Peter Guggina, with MCI
8 WorldCom.

9 MR. RUGH: I'm Christopher Rugh, with WorldWide
10 Telegraph.

11 MS. GORNEY: Okay. Thank you very much, and I
12 just want to thank everyone for coming to today's forum.
13 Just for starters I want to give you a general idea of the
14 format today. I myself, as a moderator, will be posing the
15 questions, and I will be calling on first, the participants
16 that have submitted position papers on that particular
17 issue. Other panelists will be able to speak following
18 those participants. And if there's time available, the
19 audience will be able to ask questions.

20 To give you an idea, each panelist given the short
21 amount of time that we have, will have about two minutes to
22 speak, and the questions will range from about ten minutes
23 of discussion up to 30 minutes of discussion. And I, as a
24 moderator, will let you know by waiving my magic wand that I
25 really need you to close your comments and move on. And I

1 will be calling on each person on my list and that -- I mean
2 the list of people that have submitted something to me. And
3 then after that I will open it up to everyone else. And I
4 do want to let everyone know that Loren Stocker is
5 participating over the telephone, so this should be
6 interesting. Okay.

7 Okay. So why don't we start with the first
8 question on the list. Everyone's been waiting for this, I'm
9 sure. Okay.

10 Should the Commission implement the directives
11 proposed in the DSMI Letter? Because industry believes that
12 the directives would be costly and potentially ineffective,
13 what other solutions could be implemented either as an
14 alternative to, or in addition, to the directives in the
15 DSMI Letter to achieve the Commission's stated objectives?

16 Oh. Okay. Scratch that. You know what? I just
17 completely missed that. Go ahead. I'm sorry. I apologize.

18 MS. EGLER: Okay. The first thing on the agenda,
19 before we get into the heavy duty discussion, was CCB asked
20 us, in the Consumer Information Bureau, for a brief
21 explanation of what types of complaints we get concerning
22 800 numbers. So I'm happy to give a very brief explanation
23 of that. Just so you know, when we talk about complaints,
24 we talk about complaints under section 208 of the Act, and
25 those are complaints that are on common carriers. We also

1 sometimes talk about inquiries.

2 The difference between a complaint and an inquiry,
3 when you -- you see we do our numbers, we release them
4 quarterly now, and you'll see different numbers there. An
5 inquiry is just a consumer calling or writing us for
6 information about a certain topic. They're not complaining
7 about a specific practice that a carrier is doing. A
8 complaint, on the other hand, is a complaint complaining
9 about a specific practice, or act, or omission that a
10 carrier has done or not done.

11 In the past 12 months we've received 36 complaints
12 on the topic of 800 numbers. These are consumer complaints.
13 Okay? And those were served on the carriers involved, and
14 in the past 12 months, 578 inquiries. If you ever wonder
15 what our code is for this, it's coded under toll-free
16 services. So those are the numbers. As you can see, if you
17 saw our quarterly report that went out sometime in, I guess,
18 mid-February these aren't huge numbers compared to the other
19 numbers we get. This is not a very, very big category for
20 us, but these are the types of complaints that we do get,
21 and I'll give you a sample.

22 The first one would be billing problems. That is
23 when a consumer has an 800 number and the consumer, you
24 know, can be residence, or a small business, or whatever.
25 But the consumer is being billed for service by one carrier

1 when they expected to be billed by another carrier. Another
2 topic would be service problems. The big example of that is
3 when a toll-free service was asked to be canceled and it
4 didn't get canceled as requested. A lot of the carriers now
5 are sort of giving you 800 numbers whether you want them or
6 not, and often a consumer will say they don't want that, and
7 then they find that somehow it's been used.

8 The third would be the slamming of toll-free
9 numbers, and that's still an open issue for us. That's an
10 issue that's on reconsideration in our slamming docket. But
11 that's when, you know, someone has an 800 number and then
12 suddenly finds that they're getting service, and billed, by
13 a carrier that was not carrier of their choice. Another
14 category is discontinuation of service without notice. And
15 that is, you had an 800 number, and suddenly you don't have
16 an 800 number, and you thought you had an 800 number.

17 And then finally, another topic would be the
18 release or the loss of the toll-free number you basically,
19 you know, decided to change carriers, somehow you lost your
20 number, you didn't realize that whatever you did would mean
21 that you would lose your number. That number is important
22 to you because, you know, it's a way of getting business,
23 and you're trying to get that number back. And that can be
24 very hair raising for the consumer, especially if they have
25 a certain identity with that number, and that can be a

1 process that takes a lot of time.

2 Those are the types of complaints we get. We
3 don't generally, unlike in the slamming context, we don't do
4 complaints that don't deal with slamming. These would be
5 informal complaints, and generally what happens is we serve
6 them on the carriers, the carriers respond with a response
7 that should be taking care of that situation. To the extent
8 it doesn't, then the people who work in our Bureau work with
9 the customer and the carrier to try to reach a resolution.
10 Jennifer?

11 MS. GORNEY: Okay. Does anybody have any
12 questions or comments? Okay. Then we will start with the
13 first question. I will read it again for convenience.

14 Should the Commission implement the directives
15 proposed in the DSMI Letter? Because industry believes that
16 the directives will be costly and potentially ineffective,
17 what other solutions could be implemented either as an
18 alternative to, or in addition to, the directives in the
19 DSMI Letter?

20 And the first person I have on my list is Megan
21 Campbell.

22 MS. CAMPBELL: This was one of the bullet items
23 that the SNAC, as a consensus body, felt that they could
24 respond to. And the answer was basically, no, the directive
25 should not be implemented. And the reason for that was that

1 they did not believe that the directive appropriately
2 resolved many of the concerns the Commission was looking to
3 resolve. And in addition to that, we did file an *ex parte*
4 on June 1, 2001, which went into more detail, sort of the
5 technical aspects and the problems with the technical fix.

6 MS. GORNEY: Okay. And Peter, at WorldCom?

7 MR. GUGGINA: Yes, thank you. Peter Guggina,
8 WorldCom. WorldCom supports the SNAC conclusion and
9 recommendation, and obviously agrees with what Megan
10 Campbell just said. We do not believe that there should be
11 the changes made that were proposed in the DSMI Letter.
12 Instead, we believe that the Commission should utilize its
13 enforcement powers, and police the administration, and the
14 operation of the industry so that these problems don't
15 manifest themselves as they did.

16 MS. GORNEY: Okay. Thank you. Norina Moy, at
17 Sprint, please?

18 MS. MOY: It's three for all. Sprint also
19 believes that the DSMI Letter should not be implemented.
20 And I think the information we just got on the number and
21 types of complaints that the FCC has gotten, shows that
22 there's not a compelling reason to go forward with such a
23 costly change.

24 MS. ATTWOOD: Can I have your attention now?
25 Because to some degree, I just want to make sure it's clear

1 on the consumer complaint. Would we expect to see in the
2 context of the complaints that you received, complaints by
3 small businesses, or are they focused more on the consumer
4 mass market that would typically file an informal complaint?

5 MS. EGLER: Yes, it's usually the people who file
6 informal complaints are generally consumers. You get some
7 small business, but the vast majority of the mass market
8 customers, that's who we see in the informal complaint
9 context.

10 MS. GORNEY: And so to some extent, it's some of
11 the concerns that were raised, or the basis for the DSMI
12 Letter reflected commercial concerns. Would you expect to
13 see those in the form of a complaint?

14 MS. EGLER: Generally not. They would usually
15 take other avenues.

16 MS. GORNEY: Okay. And then, I guess, when you
17 say specific enforcement, can you give us a little bit more
18 flesh to what would we be in for? Is there a general
19 understanding, the clarity of the rules, such that
20 enforcement would an effective way to manage the concern?

21 MS. MOY: Can I take a stab? I think if there is
22 a specific rule violation, for example, brokering. You can
23 build the record and then take appropriate enforcement
24 action against the specific entity that was found to have
25 engaged in this prohibited activity. By having a broad

1 brush change, you affect the huge number of toll-free
2 transactions that are perfectly legitimate, and that affect
3 by far, the majority of law abiding RespOrgs and their
4 customers.

5 MS. GORNEY: Thank you.

6 MS. CALLAHAN: And I just, I guess, want to add
7 another question to those who responded already. You
8 indicate that you do not see the directives in the DSMI
9 Letter as a viable alternative because, primarily of cost.
10 What other solutions would you propose? Somebody said
11 enforcement, but are there other solutions that could allow
12 the Commission to meet the stated objectives in the DSMI
13 Letter?

14 MR. GUGGINA: Peter Guggina, WorldCom. I think
15 the best way to answer that is to say well, try to really
16 understand the problem that's trying to be solved. You
17 know, what is the problem? There's different perceptions.
18 The more people that I talk to, I find there's different
19 perceptions of the problem. On one hand, most people seem
20 to think that you should be able to transfer numbers for
21 legitimate purposes, and so forth, in an efficient manner in
22 the way that responsible companies do.

23 On the other hand, there seems to be some
24 perceptions that that doesn't always take place. And that
25 there's a large perception that there's hoarding of numbers,

1 and that there's brokering and other activities going on.
2 And to the degree that those activities are present, first
3 of all, I think you need to determine what are the proper
4 activities, and what are the improper activities? And then
5 once you know what the proper activities are, and what the
6 improper activities are, you can then answer that question
7 better.

8 But I know in my company we did some research
9 recently in preparation for this discussion, and we looked
10 at how many complaints we were involved in. Okay. And we
11 have -- I can say that we have a lot of 800 numbers. Okay?
12 We're one of the biggest, or the biggest, provider of 800
13 service. We could find documentation on three complaints.
14 And all of those three complaints were resolved
15 satisfactorily, I believe. And then we looked at this and
16 we said, well gosh, there really doesn't seem to be -- that
17 doesn't seem to be a problem. And most of those complaints,
18 I believe, were centered around disconnecting for non-
19 payment of services, and we couldn't find the customer, but
20 they really were there, or et cetera, et cetera.

21 So again, you know, I think we need to get a
22 better understanding. Or I recommend that the Commission
23 gets a better understanding on what problem really needs to
24 be solved. And on WorldCom's part, we want to be a
25 responsible provider of 800 service. And we're looking at

1 it -- and I said to myself when we had internal discussions
2 on it, I said well let's make sure, let's look deep into
3 what's going on here to make sure we're not doing something
4 wrong that we don't even realize we're doing. Okay. So
5 again, to conclude, we need to understand the issue.

6 MS. GORNEY: Okay. The next person I have on my
7 list is -- yes?

8 MS. GRIFFIN: --.

9 MS. GORNEY: Keep talking and it goes off.

10 MS. GRIFFIN: I'm Diane Griffin, Acting Chief of
11 Network Services Division. And I like the way Peter sort of
12 framed what the main inquiry should be. And my question
13 that I would ask, that you had already commented on, if you
14 refer back to the DSMI Letter, we were fairly clear that we
15 thought one of the practices that is going on that should
16 not be going on, because it's contrary to the Commission's
17 rules that we currently rely on, is that there are
18 subscriber-to-subscriber carrier transfers or subscriber-to-
19 subscriber transfers of numbers.

20 And we made that statement only to illustrate
21 precisely what we were trying to accomplish in giving the
22 DSMI Letter, the directives --which we had hoped would
23 prevent those specific subscriber-to-subscriber transfers of
24 numbers. And in light of that -- several objectives, but
25 are there any comments as to what specific things that --

1 even if the answer is change the rules, that's the kind of
2 specific feedback we're looking for.

3 MS. ATTWOOD: Diane, it sounds like you've got a
4 dud of a microphone and so some of that wasn't captured on
5 the record. But essentially you directed folks that were
6 commenting to look at the analysis presented in the DSMI
7 Letter for identifying the concerns expressed by the
8 Commission. And if you could help look at those concerns,
9 and tailer your responses to those concerns. That's just
10 summarizing, not as eloquently, what you said for the
11 record. Thank you.

12 MS. GORNEY: Does anybody have any comments to
13 that? Jim Grudus, I have you next on.

14 MR. GRUDUS: Is this working?

15 MS. GORNEY: Could everyone just say your name and
16 what company you're from before you speak?

17 MR. GRUDUS: Sure. Jim Grudus --

18 MS. ATTWOOD: It doesn't sound like it's working.

19 MS. GORNEY: No. We're going to have to use this.

20 MR. GRUDUS: Jim Grudus, AT&T. We, like many of
21 the previous commenters, feel that we need a little bit more
22 information to offer the most constructive alternatives.
23 And we thank the Commission for holding this forum because
24 it really looks like it's a good step forward toward it.

25 Part of the problem that we perceived, when

1 looking at our records, is that we don't see a lot of the
2 problems that the Commission might be seeing. So especially
3 in light of the larger business concerns that might not be
4 evident to us, if we could -- if there may be a mechanism to
5 share that information, we could try and progress even to
6 more specific potential solutions to capture those problems,
7 because what we've tried to put on the record for the
8 Commission a little bit of some of the issues that we're
9 very concerned about in terms of serving the customer.

10 When we look at -- I think one of the examples we
11 put on the record was where there was a mass mailing,
12 millions of mailings, incorrect telephone number, 800
13 number. There was no way to pull back the mailing, and we
14 were able to find the customer who actually had the number
15 that was on the mailing, and were able to make an amicable
16 accommodation between the merchant who mailed millions of
17 flyers and the very small business that actually had that
18 number in service. Because if we weren't able to do that,
19 there would have been a significant impact on the small
20 business and on the large business.

21 So there are some issues here that we wanted to
22 try to bring to your attention as something that needs to be
23 considered in the mix when we try to solve the problem. So
24 I think it's a two-step piece here. Getting a little bit,
25 we still need a little bit more in terms of the substance of

1 the problems that are most pressing to the Commission and
2 then we might be able to offer it even more specifics than
3 we are here. But also to alert you to some of the issues in
4 just the normal course of what one would believe is a caring
5 for the customers, and especially in emergency situations.
6 Those tend to be the most pressing to try and take care of.

7 So that's kind of our feedback at the moment. We
8 think that the DSMI Letter right now, the way it's
9 constructed, would harm much more than it would help
10 anything and would impose maybe a regime that isn't
11 necessary to fix the problem.

12 MS. GORNEY: Okay. Thank you, Jim. And the last
13 panelist I have on my list is Loren Stocker, from Vanity
14 International. Since he is coming in by phone, we will see
15 if this works out.

16 Loren, can you hear me?

17 MR. STOCKER: I can hear you. Can you hear me?

18 MS. GORNEY: Yes.

19 MR. STOCKER: Oh, terrific.

20 MS. GORNEY: Okay. Go ahead.

21 MR. STOCKER: If I may introduce myself, Loren
22 Stocker, from Vanity International. I've got a rather
23 unique point of view here because I work with a lot of
24 subscribers, in fact, who have lost their phone numbers. Or
25 in general though that are subscribers that are attempting

1 to create marketing programs with toll-free numbers. For
2 example, 1-800-INJURED, 1-800-TICKET, things that could be
3 very large scale programs.

4 I did actually submit comments, but I don't see
5 them on the website, so they haven't quite arrived. But if
6 I could, I'd liken the situation to parking on public
7 streets. I think it's all clear to us that parking spots
8 are a public resource. The FCC, of course, would be like
9 the city commissioner in charge of enforcement. But at the
10 same time we understand that, you know, parking spots are
11 first-come, first-serve. There are in many cases a valet
12 service that will park your car for you. There are
13 sometimes, of course, persons that will park their own car.
14 But the key thing is that the parking spots are a public
15 resource.

16 And what's happening here, if I put this in my
17 metaphor, is that oftentimes you go to dinner, you leave
18 your car in your spot, you come back from dinner, and
19 someone has pushed it in the street, and it's been towed.
20 Now this may seem a little bit off base, but when we bring
21 it back to toll-free, the problem seems to be that there are
22 no subscriber rights. And all of the situations that --
23 forgive me, I didn't hear the introduction because we had
24 technical difficulties, but I have categorized the type of
25 problems, or the type of transfers, in three different ways.

1 One is that we have transfers between consenting
2 subscribers. And I trust and believe that everyone here
3 today would consider that quite a nuisance, to have any
4 restrictions on that for a variety of reasons; businesses
5 change their company names, people move, you know, numbers
6 back and forth from call centers, et cetera, et cetera.

7 The second category is that, you know,
8 disconnecting numbers that are aging and about to go spare,
9 you know, from some appearances some carriers may take
10 advantage of that and actually seize those numbers before
11 they go back in the pool. Now, if this was a delay
12 service --

13 MS. GORNEY: Loren?

14 MR. STOCKER: -- what would happen is, and
15 everyone has seen this --

16 MS. GORNEY: Loren?

17 MR. STOCKER: -- two drivers get in the car, and
18 one guy pulls out, the next guy pulls in, and it never goes
19 back into the public domain.

20 MS. GORNEY: Loren, could I interrupt for a
21 second? We're on a tight schedule, and we need you to give
22 some closing comments to this question.

23 MR. STOCKER: Sure. Very well.

24 MS. GORNEY: Sorry.

25 MR. STOCKER: The third situation, which is the

1 heart of the matter and I think the one that needs to be
2 addressed, is whenever numbers are transferred through *de*
3 *facto* wire fraud, through inadvertent disconnects, or
4 anything of this sort, there's simply no way to recover it.
5 And my point is that if first-come, first-serve is so
6 important, why is that the case if we don't, subsequent to
7 that, protect subscriber rights? And I think that's the
8 heart of the matter.

9 MS. GORNEY: Okay. Thank you.

10 MS. ATTWOOD: I'm going to I object for the
11 record. We've been called a lot of bad things but
12 metropolitan parking authority is getting really low.

13 MS. GORNEY: I'd like to move on to the next
14 question, but I'd be willing to give -- yes?

15 MR. BROTHERS: May I make a comment?

16 MS. GORNEY: Yes.

17 MR. BROTHERS: My name is Art Brothers, Beehive
18 Telephone. Am I being heard?

19 MS. GORNEY: No. You're not in the mike.

20 MR. BROTHERS: The issue of transfer customers,
21 all of our numbers always come into our tandem switch. We
22 have an extremely expensive sorting program that handles all
23 those calls. We only handle two LATAs, Northern Nevada and
24 Utah. And the numbers that come into us, we transfer
25 immediately. We don't ever tell Bellcore or SMI. We just

1 do it internally. And those numbers always come into the
2 same number, and they're programmed to all terminate within
3 our tandem, and then they go to our sorting. So we regard
4 that as a highly proprietary methodology and we monitor it.

5 And so the DSMI request, I think is stupid. It
6 doesn't allow for competition by small carriers such as
7 ourself. Thank you.

8 MS. GORNEY: Okay. Any more comments before I
9 move on? No? Okay.

10 Okay. The second question asks, should the
11 Commission modify it's toll-free administration rules to
12 allow for the transfer of toll-free numbers between
13 subscribers in certain instances?

14 And could I have Renny Hellickson, of Ad Hoc, give
15 us the first comment?

16 MR. HELLICKSON: You bet. We do believe that
17 numbers should be transferred for legitimate business
18 reasons from one entity to another without going through a
19 waiver process. We would like the FCC to first clarify, by
20 definition or example, the legitimate business reasons for
21 such transfers. Examples, mergers and acquisitions of
22 companies with toll-free numbers, and many others.

23 And second, establish an expedited waiver process
24 for requests that aren't spelled out in the rule. I'll
25 simply stop there for now.

1 MS. GORNEY: Okay. Someone from -- I'm going to
2 call you acronym, AFTA, could I have someone speak on
3 behalf?

4 MR. KNISHBACHER: That's fine. This is Mitch
5 Knishbacher, and I will try to keep our comments on some of
6 these initial issues very brief, and maybe I'll indulge us
7 for a few more minutes on the open market which is of great
8 importance to us.

9 MS. GORNEY: Okay.

10 MR. KNISHBACHER: But basically we support the
11 AT&T petition and the various examples that they've raised.
12 We've raised similar examples in some our members' petitions
13 to the Commission in previous years.

14 MS. GORNEY: Okay. Could I have Loren Stocker,
15 from Vanity International, please? Loren?

16 MR. STOCKER: We're talking about subscriber
17 transfers?

18 MS. GORNEY: Yes.

19 MR. STOCKER: I feel that subscribers have the
20 right to transfer their numbers with or without the FCC's
21 permission. Now that may seem like an odd thing to say, but
22 it's a simple reality. It's always been that way, before
23 the 95-155 took place. And as a professional in the field,
24 one would not even know there was a prohibition on
25 transfers. The major carriers you have in the room here